

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

MICHAEL WHELOCK,
et al.

v.

C.A. No. 06- 366 S

STATE OF RHODE ISLAND,
et al.

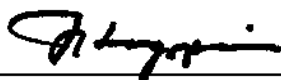
MEMORANDUM AND ORDER

Plaintiffs Michael J. Wheelock, Ernest Hazard, Kenneth Wilson, and Louis Viveiros, *pro se* inmates confined at the Rhode Island Department of Corrections, filed a Complaint together with requests to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. Plaintiffs did not, however, timely file certified copies of their prison trust account statements for the six month period immediately preceding the filing of their Complaint on August 11, 2006, despite being provided an opportunity to do so. See 28 U.S.C. § 1915(a)(2); see also Dckt # 17. Accordingly, plaintiffs' motions to proceed *in forma pauperis* (IFP) were **denied**. Plaintiffs were Ordered to pay the initial filing fee.

Thereafter, plaintiffs paid the \$350.00 filing fee, re-filed their motions to proceed IFP, along with the appropriate documentation, and filed an Objection to the Memorandum and Order which denied their motions to proceed IFP. The Court will consider the plaintiff's Objection as a Motion for Reconsideration (Dckt # 40) and said Motion to reconsider is **GRANTED**.

The Court has reviewed the all of the motions to proceed IFP, the supporting affidavits, and prison trust account statements filed by each of the plaintiffs. Upon consideration of the motions, of the affidavits, and of the trust account statements, plaintiffs' motions to proceed IFP (Dckt # 35, 36, 37, & 38) are **denied**. Plaintiffs' prison trust account statements demonstrate sufficient funds to pay the initial filing fee of \$350.00. Indeed, plaintiffs' have paid the fee.

IT IS SO ORDERED.



Jacob Hagopian
Senior United States Magistrate Judge
Date: 10 19 06